

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

---

KENNY HILL,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 05-160E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
JOHN LAMANNA, et al.,	)	
	)	(Electronic Filing)
Defendants.	)	

---

MICHAEL HILL,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 03-323E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
JOHN LAMANNA, et al.,	)	
	)	(Electronic Filing)
Defendants.	)	

---

LESLIE KELLY,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 03-368E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
JOHN LAMANNA, et al.,	)	
	)	(Electronic Filing)
Defendants.	)	

---

KEVIN SIGGERS,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 03-355E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
JOHN LAMANNA, et al.,	)	
	)	(Electronic Filing)
Defendants.	)	

---

MYRON WARD,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 04-11E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
JOHN LAMANNA, et al.,	)	
	)	(Electronic Filing)
Defendants.	)	

---

**APPENDIX TO DEFENDANTS' BRIEF IN SUPPORT OF THEIR  
MOTION FOR SUMMARY JUDGMENT,  
OR IN THE ALTERNATIVE, MOTION TO DISMISS**

**EXHIBITS:**

- A. Newly Submitted Exhibits in Support of Defendants' Brief in Support of Defendants' Motion for Summary Judgment, or in the Alternative, Motion to Dismiss**
- 
1. Report of Gregory J. Fino, MD, FCCP
  2. Declaration of Brendan M. Claybaugh
    - a. OSHA Complaint
    - b. Brendan Claybaugh's Field Notes
    - c. OSHA Videos
    - d. Data, Logs, and Notes Collected During Air Sampling
    - e. Air Quality Test Results
    - f. John Stranahan Letter
    - g. OSHA Notice of Unsafe or Unhealthful Working Conditions
  3. Report of Deitrich Weyel, ScD, C.I.H.
  4. Declaration of Michael Salerno
  5. Deposition of Stephen Housler (December 19, 2006)
  6. Deposition of Martin Sapko (December 19, 2006)
  7. Deposition of David G. English (December 20, 2006)
  8. Deposition of Debora Forsyth (December 6, 2006)
  9. Deposition of John LaManna (December 6, 2006)
  10. Diagram of UNICOR Factory
  11. UNICOR Orientation Manual
  12. UNICOR Work File for Michael Hill
  13. UNICOR Work File for Kenny Hill
  14. UNICOR Work File for Myron Ward
  15. UNICOR Work File for Leslie Kelly

16. UNICOR Work File for Kevin Siggers
17. UNICOR Factory Rules and Safety Regulations Signed By Michael Hill
18. UNICOR Factory Rules and Safety Regulations Signed By Kenny Hill
19. UNICOR Factory Rules and Safety Regulations Signed By Myron Ward
20. UNICOR Factory Rules and Safety Regulations Signed By Leslie Kelly
21. UNICOR Factory Rules and Safety Regulations Signed By Kevin Siggers
22. Deposition of Michael Hill (November 1, 2006)
23. Deposition of Leslie Kelly (October 31, 2006)
24. Deposition of Myron Ward (November 1, 2006)
25. Deposition of Kenny Hill (November 1, 2006)
26. Deposition of Kevin Siggers (October 31, 2006)
27. Inmate Quarters History Data for Michael Hill
28. Inmate Quarters History Data for Kevin Siggers
29. Inmate History Public Information Data for Kevin Siggers
30. Plaintiff's Responses to Defendants' First and Second Set of Interrogatories

**B. Previously Submitted Exhibits Referenced in Defendants' Memorandum of Law In Support of Defendants' Motion to Dismiss or in the Alternative Motion for Summary Judgment filed on February 16, 2006**

---

1. Declaration of Stephen Housler (with attachments)
2. Declaration of Martin Sapko (with attachments)
3. Declaration of Debora Forsyth (with attachments)
4. Declaration of Douglas S. Goldring (with attachments)

**C. Unreported Case**

1. Wooten v. Goord, 2004 WL 816919, aff'd 2005 WL 387971(2005)
2. Baker v. Williams, 2002 WL 31015630 (2002)
3. Jones v. Kearney, 2001 WL 1414854 (2001)
4. Saahir v. Holligan, 1418790 (2004)
5. Mayo v. Morris, 2006 WL 3337385 (2006)

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

/s/ Michael C. Colville  
MICHAEL C. COLVILLE  
Assistant U.S. Attorney  
Western District of PA  
U.S. Post Office & Courthouse  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
(412) 894-7337  
PA ID No. 56668

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of February, 2007, a copy of the  
within **Appendix to Defendants' Brief in Support of Their Motion for  
Summary Judgment, or in the Alternative, Motion to Dismiss** was served  
either electronically or by first-class United States mail, upon the following:

Richard A. Lanzillo, Esquire  
Knox McLaughlin Gornall & Sennett, P.C.  
120 West Tenth Street  
Erie, PA 16501-1461

/s/ Michael C. Colville  
MICHAEL C. COLVILLE  
Assistant U.S. Attorney